

**MINUTES OF THE MEETING OF THE COMMON COUNCIL OF THE CITY OF  
CUDAHY, HELD AT THE CUDAHY MUNICIPAL BUILDING, 5050 S. LAKE DR.  
MILWAUKEE COUNTY, WISCONSIN  
*Tuesday, October 20, 2009***

**ROLL CALL**

Mayor Ryan McCue called the meeting to order at 7:50 PM. The following answered, "present" to the roll call: Council Members Mikolajczak, Schissel, Otto, Litkowiec and Pavlic. Also in attendance: Clerk/Treasurer Goss, Comptroller Williamson, Dir. Office Ser. Toms-Neary, Dir. Econ. Dev. Fritts, Fire Chief Mayer and City Attorney Eberhardy.

**MEETING STATEMENT**

The proper open meeting statement was read at this time.

Mayor McCue stated that Items 1 and 2 under Ordinances on the agenda will be removed.

Rich Gawelko of 3908 E. Hammond Ave. spoke regarding the GO borrow; the 5 year plan, ADA bathroom funds and Kohl's agreement; the 2009-2010 capital project plan and the 2009 vitality award.

Items No. 3 and No. 4 of Old Business were taken out of order at this time.

**OLD BUSINESS**

3. Discussion and appropriate action regarding the 2009-2010 capital project plan. Ald. Otto explained that the projects within the capital plan can be put off prior to borrowing money and that the plan is an overview and framework for what needs to be done in the future. Lengthy discussion ensued. **MOTION BY ALD. OTTO, SECOND BY ALD. MIKOLAJCZAK** to approve the 2009/2010 Capital Project Plan. On the roll call vote, Alderpersons Schissel, Litkowiec and Otto voted "aye". Alderpersons Mikolajczak and Pavlic voted "no". Motion carried.
4. Discussion and appropriate action regarding Resolution No. 6570 entitled "Initial Resolution Authorizing the Borrowing of Not to Exceed \$11,200,000 and Providing for the Issuance and Sale of General Obligation Bonds". Mike Harrigan of Ehlers and Associates, the City's Financial Advisor presented the information regarding the borrow at this time. He pointed out that approximately 47.9 million is associated with TID #1 so it is expected that the tax increment district will bear the cost of the interest and principal associated with that part of the borrow. The sanitary sewer and storm sewer funds will take care of their portion of the borrow. The general fund equipment and general fund capital improvements are the parts that will be paid by the general property tax levy. At this time, Mayor McCue reported on all of the projects and purchases included in the capital plan. **MOTION BY ALD. OTTO, SECOND BY ALD. LITKOWIEC** to accept Resolution No. 6570 authorizing the borrowing of not to exceed \$11,200,000. On the roll call vote, Alderpersons Mikolajczak, Schissel, Otto and Litkowiec voted "aye". Alderperson Pavlic voted "no". Motion carried.

## **ADOPTION OF MINUTES:**

**MOTION MADE BY ALD. MIKOLAJCZAK, SECOND BY ALD. PAVLIC** to approve the following minutes as listed: Motion carried unanimously.

1. Regular meeting of the Common Council held October 6, 2009.
2. Minutes of the Finance Committee meeting held October 6, 2009.
3. Minutes of the Community Development Authority held September 8, 2009.
4. Minutes of the Cudahy Family Library Board held September 3, 2009.

## **VETO**

1. Presentation by City Clerk of Mayor's Veto of Ordinance 2327 entitled "An Ordinance Recreating Sections 6.13 and 6.30 of the City of Cudahy Municipal Code, Regarding All Night Parking Regulation, Permits and Penalties". The Mayor explained that he agreed with every portion of Ord. 2327 with the exception of the necessity for Cudahy residents to go down to the Police Department and pay \$2.00 for special parking permission. Ald. Schissel explained that the subcommittee decided that with the number of people calling in repeatedly for special permission, the system was being abused so the special fee was enacted to discourage the abuse.
2. Discussion and appropriate action regarding Mayor's Veto of Ordinance No. 2327. **MOTION BY ALD. SCHISSEL, SECOND BY ALD. PAVLIC** to override the Mayor's veto of Ord. 2327. On the roll call vote, Ald. Mikolajczak, Otto and Pavlic voted "no". Alderpersons Schissel and Litkowiec voted "aye". Motion failed – veto sustained.

## **CORRESPONDENCE**

1. Correspondence dated October 5, 2009 from US Senator Herb Kohl to Fire Chief Daniel Mayer regarding resources for first responders.
2. Correspondence from Suzanne McKinney dated October 6, 2009 resigning as a member of the Board of Health.

## **OLD BUSINESS**

1. Discussion and appropriate action regarding Ordinance No. 2327 entitled "An Ordinance Recreating Sections 6.13 and 6.30 of the City of Cudahy Municipal Code, Regarding All Night Parking Regulation, Permits and Penalties". **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. PAVLIC** for division of the question removing Item 2(b) under Section 1, Item 1. Motion carried. **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. OTTO** to approve Ord. 2327 with the correction of the part divided out. Motion carried. **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. OTTO** to refer Item 2(b) Under Section 1, Item 1 divided out from Ord. 2327 to Traffic & Safety Commission. Motion carried.
2. Discussion and appropriate action regarding reallocation of the \$60,152 CDBG block grant funds from the ADA bathroom project to the Kohl's Food Store site which was adopted by the Common Council at the June 20, 2009 meeting. Discussion ensued. **MOTION BY ALD. SCHISSEL, SECOND BY ALD. PAVLIC** to rescind motion. Motion carried 5-0.

## **NEW BUSINESS:**

1. Discussion and appropriate action regarding Community Development Authority Recommendation 2009-10-13-01 regarding the proposed contract with the Milwaukee Community Service Corps ("MCSC") for the Housing Acquisition and Rehabilitation Grant Program. Chris Litzow Executive Director of the Milwaukee Community Service Corp along with Director of Economic Development Fritts and Sara Eberhardy, Chairperson of the CDA, spoke before the Council regarding this program to stabilize the housing stock. They propose to take money that has already been bonded which has been allocated to another project that will not occur. That money will be put into escrow in one of the local banks to be used as a draw for renovations. Any profits made will be kept to perpetuate the escrow. **MOTION BY ALD. PAVLIC, SECOND BY ALD. MIKOLAJCZAK** to contract with the Milwaukee Community Service Corp. for the Housing Acquisition and Rehabilitation Grant Program. On the roll call vote, motion carried unanimously.
2. Discussion regarding 2009 Vitality Award. The Mayor stated that the recipient of this award was selected in the past by the Lakeside Commons which has disbanded. For 2009, the Mayor suggests that the Common Council choose the 2009 recipient and that the Design Review Board be utilized to handle the selection for 2010 going forward.
3. Discussion and appropriate action regarding Community Video Tour Book Agreement. Mayor McCue explained the program which will be of no cost to the City. The organization will film positive things going on in the community and place these videos on the City website. He stated that many communities within the state have utilized this company and it has been endorsed by the Alliance of Cities and the League of Wisconsin Municipalities. **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. SCHISSEL** to approve. On the roll call vote, motion carried unanimously.

## **MAYOR – UPDATES**

- Trick or Treat – Saturday, October 31, 2009 1-3 PM
- Cudahy Family Library Harvest Tasting – Friday, October 23, 2009 from 7PM – 10PM with tickets at \$30.00 per person/\$35.00 at the door.
- 5 year financial plan update
- Cudahy Fire Department pizza delivery with Pizza Hut on October 22, 2009.

## **DEPARTMENT MANAGER – UPDATES**

Fire Chief Mayer presented his 2008 Fire Department Annual Report.

## **RESOLUTIONS**

- 1. Resolution No. 6569** entitled "A Resolution Approving Certified Survey Map in the Southwest One-quarter (1/4) Section Thirty-Five (35), Township Six (6) North, Range Twenty-Two (22) East". **MOTION BY ALD. SCHISSEL, SECOND BY ALD. LITKOWIEC** to approve Resolution NO. 6569. Motion carried unanimously.
- 2. Resolution No. 6571** entitled "A Resolution to Redirect Funds From the Daily Market Project to MCSC Contract". **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. PAVLIC** to approve Resolution No. 6571. Motion carried unanimously.

- 3.** Resolution No. 6572 entitled "A Resolution Amending the 2009 City Budget by Transferring Funds From Contingency to Celebrations and Donations". **MOTION BY ALD. OTTO, SECOND BY ALD. PAVLIC** to approve Resolution No. 6572. Motion carried unanimously.
- 4.** Resolution No. 6573 entitled "A Resolution Amending the 2009 Adopted Budget of the City of Cudahy". **MOTION BY ALD. OTTO, SECOND BY ALD. LITKOWIEC** to approve Resolution No. 6573. Motion carried.
- 5.** Denying the Claim of General Casualty". **MOTION BY ALD. OTTO, SECOND BY ALD. LITKOWIEC** to approve Resolution No. 6567. Motion carried unanimously.
- 6.** Resolution No. 6568 entitled "A Resolution Denying the Claim of AFNI Insurance Services". **MOTION BY ALD. OTTO, SECOND BY ALD. LITKOWIEC** to approve Resolution No. 6568. Motion carried unanimously.

#### **Hearing from Cudahy Residents**

Dick Bartoshevich of 5962 S. Robert Ave. regarding ADA bathrooms.

Stanley Janowski of 3660 E. Iona Ter. regarding Police Chief residency.

Judge Zodrow spoke regarding actions taken at the Personnel Committee meeting.

#### **ADJOURN**

**A MOTION TO ADJOURN WAS MADE BY ALD PAVLIC, SECOND BY ALD. LITKOWIEC** at 9:45 PM. Motion carried unanimously.

Passed and approved this 3<sup>rd</sup> day of November, 2009.

Ryan McCue, Mayor

ATTEST:

Robert Goss, Clerk/Treasurer